APPENDIX

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Civil Action No. 2335-'66

DISTRICT OF COLUMBIA, a municipal corporation, Room 211, 451 Indiana Ave., N. W., Washington, D. C. 20001
Plaintiff

v.

THEODORE MCGANN, ADMINISTRATOR, C.T.A., OF THE ESTATE OF JOSEPH H. MCGANN, SR., DECEASED

Judgment

The above-entitled cause having come on for trial by the Court, and it having been stipulated by the parties that the unreimbursed cost to the District of Columbia of the care and treatment of Robert R. McGann, son of the above-named decedent, in Saint Elizabeths Hospital from said patient's commitment on October 18, 1940, until March 11, 1965, the date of death of the aforesaid deceased Joseph H. McGann, Sr., is $37,615.14, and it appearing to the Court on the basis of admitted facts as set forth in the record of Administration No. 114,623, and Civil Action No. 1800-66, that the deceased, Joseph H. McGann, Sr., was and his estate is able to pay the full amount due, since even after payment there will be a considerable surplus in the net estate, and it further appearing that the said Joseph H. McGann and his estate are liable to reimburse plaintiff for the aforesaid hospitalization costs as a matter of law, it is by the Court this 30 day of June, 1967,

ORDERED, That a judgment in favor of the District of Columbia in the amount of $37,615.14 be, and the same hereby is entered against Theodore McGann, Administrator C.T.A. of the estate of Josph H. McGann, Sr., deceased.

ALEXANDER HOLTZOFF
Judge

JAMES PATRICK BURNS
James Patrick Burns
Attorney for Defendant

UNITED STATES COURT OF APPEALS

FOR THE DISTRICT OF COLUMBIA CIRCUIT

SEPTEMBER TERM, 1967

No. 21,322

THEODORE McGANN, Administrator, C.T.A., of the Estate of Joseph H. McGann, Sr., Deceased, *Appellant*

v.

DISTRICT OF COLUMBIA, a municipal corporation, *Appellee*

Filed January 12, 1968

Appeal from the United States District Court for the District of Columbia.

Before: WRIGHT, TAMM and ROBINSON, Circuit Judges.

Judgment

This cause came on to be heard on the record on appeal from the United States District Court for the District of Columbia, and was argued by counsel.

On consideration whereof, and it appearing that this case is controlled by the decision of this court in *Harris* v. *District of Columbia,* 123 U.S. App. D.C. 133, 357 F.2d 593 (1966),

It is ORDERED and ADJUDGED by this court that the judgment of the District Court appealed from in this cause be, and it is hereby, affirmed.

Per Curiam

Dated: January 12, 1968